

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

**HOUSE.**

Saturday, March 22, 1913.

The House met according to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Lusk of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Petition of Mrs. Clara M. Sanderson and 29 others of Sedgwick asking that House bill No 200, "The White Slave bill" be enacted.

In the House this petition was referred to the committee on judiciary, and came from the Senate in that branch placed on file in non-concurrence.

On motion by Mr. Smith of Patten, the House receded and concurred with the Senate in ordering the petition placed on file.

From the Senate: An Act to enable the town of Old Orchard, Maine, to assess taxes for street sprinkling.

In the House this bill was passed to be engrossed, and came from the Senate in that branch indefinitely postponed in non-concurrence.

On motion by Mr. Irving of Caribou the bill was tabled pending concurrent action with the Senate.

From the Senate: Resolve for further public instruction in forestry.

In the House this resolve was passed to be engrossed, and came from the Senate in that branch amended by Senate amendment A.

On motion by Mr. Wheeler of Paris the vote was reconsidered whereby this resolve was passed to be engrossed, and on further motion by Mr. Wheeler Senate amendment A was adopted in concurrence.

The resolve was then passed to be engrossed, as amended.

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn it be to meet on Monday afternoon, March 24th, at 4.30 o'clock.

The order received a passage in concurrence.

**Senate Bills on First Reading.**

An Act relating to the fees payable upon an increase in the capital stock of corporations organized under Special Acts or under general laws for the performance of a public service.

An Act to authorize the Bangor Railway & Electric Company to take water from Chemo Lake and its tributaries.

An Act to incorporate the Houlton Street Railway Company.

An Act to provide for the conducting of investigations in animal husbandry, by the Maine Agricultural Experiment Station.

An Act relating to the enforcement of the laws regulating the sale and analysis of agricultural seeds, commercial feeding stuffs, commercial fertilizers, dairy products, drugs, foods, fungicides and insecticides.

An Act providing for a license for a resident of the State to hunt on the wild lands of the State. (Tabled pending its first reading and specially assigned for consideration on Tuesday of next week, on motion by Mr. Cyr of Fort Kent.)

The following bills, petitions, etc., were presented and referred:

**Appropriations and Financial Affairs.**

By Mr. Washburn of Perry: Resolve in favor of the secretary of the committee on Indian affairs for expenses of the committee in visiting the Penobscot Reservation at Old Town.

**Placed on File.**

By Mr. Hutchins of Penobscot: Resolution of Penobscot Grange of Penobscot, in favor of the distribution of State school funds according to the aggregate attendance in common schools.

By same gentleman: Resolution of Masappaqua Grange of Blue Hill in favor of same; also petition of L. H. Sibley and 13 others of Blue Hill in favor of same.

By Mr. Umphrey of Washburn: Resolution of Eureka Grange remonstrating against same.

**Reports of Committees.**

Mr. Smith of Auburn from the committee on judiciary, on bill, An Act relative to the compensation of workmen by their employers for accidents arising out of and in the course of their employment, reported that the same "ought not to pass" because the same subject matter is covered by new draft of Senate bill No. 165.

Mr. Connors from the committee on legal affairs reported "ought not to pass" on bill, An Act granting to the Knox County Power Company the right to generate and sell electricity in the municipalities of Thomaston and Rockland, together with the pole rights therein. (Tabled pending the acceptance of the report and specially assigned for consideration on Wednesday of next week, on motion by Mr. Boman of Vinalhaven.)

Mr. Thombs from the same committee, to which was recommitted bill, An Act to amend section one of chapter 284 of the Private and Special Laws of 1909, relating to the Westbrook Municipal court, reported that the same "ought not to pass."

Same gentleman from same committee reported "ought not to pass" on bill, An Act relative to probate bonds.

Same gentleman from same committee reported "ought not to pass" on bill, An Act to amend section 77 of chapter ten of the Revised Statutes, relative to the sale of real estate for taxes.

Mr. Spencer from the committee on ways and bridges reported "ought not to pass" on bill, An Act to provide for the permanent improvement of land within the limits of any highway adjoining any land not known as wild land.

Mr. McFadden from the committee on sea and shore fisheries on bill, An Act providing for appeals in the case of location of wharves or fish weirs, reported that the same "ought not to pass," as legislation is deemed inexpedient.

Mr. Cochran from the same committee on bill, An Act to authorize the construction of a weir in tide waters of Chandler's Bay in the town of Roque Bluffs, in Washington county,

reported that the same "ought not to pass" as legislation thereon is inexpedient.

The reports were accepted.

Report of the committee of conference on the disagreeing action of the two branches of the Legislature on resolve in favor of Michael Burns, reporting that they were unable to come to any agreement, signed by Messrs. Quinn and Austin on the part of the House, and Messrs. Colby, Hersey and Bailey on the part of the Senate.

On motion by Mr. Wheeler of Paris the report was accepted.

Mr. Dunton from the committee on judiciary reported in a new draft and "ought to pass" bill, An Act to amend section 69 of the Revised Statutes as amended by chapter 41 of the Public Laws of 1905, relating to non-feasance of duty by sheriffs, deputy sheriffs and county attorneys.

Mr. Connors from the committee on legal affairs reported in a new draft and "ought to pass" bill, An Act to amend section 20 of chapter 67 of the Revised Statutes, as amended by chapter 134 of the Public Laws of 1911 relating to distribution of personal estate.

Same gentleman from same committee to which was recommitted bill, An Act relating to the construction of sidewalks in the town of Sanford, reported the same in a new draft and that it "ought to pass."

Mr. Peacock from the same committee reported in a new draft and "ought to pass," bill, An Act to establish a municipal court in the town of Readfield.

Mr. Irving from the committee on taxation reported in a new draft and "ought to pass" bill, An Act to amend section 13, paragraph two, chapter nine of the Revised Statutes, relating to the taxation of personal property, as amended by chapter 80 of the Public Laws of 1909.

The reports were accepted and the several bills and resolves ordered tabled for printing under the joint rules.

Majority and minority reports of the

committee on ways and bridges on bill, An Act to require certain vehicles to carry lights at night on public highways and bridges, majority report, reporting bill in new draft and "ought to pass," signed by Messrs. Conant, Butler, Spencer, Colby and Morrison; minority report, reporting "ought not to pass," signed by Messrs. Umphrey, Burleigh and Eastman. (Tabled pending the acceptance of either report, and specially assigned for consideration on Wednesday of next week, on motion by Mr. Swift of Augusta.)

Mr. Smith of Presque Isle, from the committee on judiciary to which was recommitted bill, An Act relating to the entry of nolle prosequi in criminal cases, reported that the same "ought to pass."

The report was accepted, and this bill having been already printed received its first and second readings, and was assigned for Monday afternoon of next week for its third reading.

#### First Reading of Printed Bills and Resolves.

An Act creating a State Board of Charities and Corrections.

An Act to amend the Act which constitutes the police court for the city of Rockland.

An Act to incorporate the Machias Valley Light & Power Company.

An Act granting additional powers to the Rockland, South Thomaston & St. George Railway.

An Act to amend sections 40 and 42 of chapter 15 of the Revised Statutes, as amended, relating to the continuance of unions of towns formed for the employment of superintendent of schools.

An Act to amend section two of chapter 15 of the Revised Statutes, in relation to continuance of schools failing to maintain an average attendance of at least eight pupils.

An Act for the abolishment of grade crossings of railroads.

An Act to amend section eight of chapter 18 of the Revised Statutes, as amended by chapter 48 of the Public Laws of 1909, relating to State Board of Health.

Resolve in favor of the Bath Military and Naval Orphan Asylum of Bath, Maine.

Resolve in favor of North Yarmouth Academy.

Resolve for the laying of county taxes for the year 1914.

#### Passed to Be Engrossed.

An Act to prevent the use of the name of the State by private or semi-public corporations or associations.

An Act requiring dealers to register the sale or other transfer of fire arms.

An Act in relation to the title of islands belonging to the State.

An Act to amend section four of chapter 54 of the Revised Statutes, relating to the inspection of power boats and vessels engaged in transporting passengers for hire, on inland waters.

An Act relating to fire inspectors and removal of fire hazards.

An Act to incorporate the Sandy Stream Log Driving Company.

An Act to repeal chapter 30 of the Revised Statutes as amended by chapter 74 of the Public Laws of 1907, and chapter 201 of the Public Laws of 1909, relating to apothecaries and the sale of poisons.

An Act authorizing the City of Bath to levy assessments for Street Improvements.

An Act to amend Chapter 217 of the Acts and Resolves of 1911, increasing the corporate limits of the Porter Kezar Falls Village Corporation of Porter.

An Act to amend section 51 of chapter 28 of the Revised Statutes relating to investigations of fires and inspection of buildings.

An Act relating to the protection of deer in the town of Isle au Haut, in Hancock county.

An Act to amend section 12 of chapter four of the Revised Statutes, relating to the choice of town officers.

An Act to amend section three of Chapter 229 of the Public Laws of 1909, relating to the State Board of Arbitration and Conciliation.

Resolve to aid in repairing Springfield Normal Academy Building, as amended.

Resolve relating to repairs and im-

provements of Capitol Building and Grounds.

Resolve authorizing the compilation and publication of the Insurance Laws of Maine.

#### Passed to Be Enacted.

An Act to amend section five of chapter 15 of the Public Laws of 1907, and also section six of said chapter, as amended by chapter 34 of the Public Laws of 1909, and chapters 84 and 176 of the Public Laws of 1911, relating to the protection of trees and shrubs from dangerous insects and diseases.

An Act relative to the retirement of veterans of the Civil War in the service of the State.

An Act to amend the Act establishing the northern Aroostook municipal court.

An Act to authorize the town of Boothbay Harbor to retire its bonded indebtedness and issue new bonds.

An Act to prohibit lobster pot fishing in York River.

An Act to regulate the size of smoked herring boxes.

An Act to amend paragraph ten of section one of chapter 73 of the Revised Statutes, relating to the sales of real estate by license of court.

An Act for the better protection of clams within the town of York, in the county of York.

An Act to amend sections 18 and 19 of chapter 29 of the Private and Special Laws of 1869, and amendments thereof and additions thereto, relating to the charter of the city of Ellsworth, and also making certain additions to provisions affecting said sections.

An Act to create the Temple Water District.

An Act to amend section one of chapter 88 of the Public Laws of 1909, relating to the appropriation for procuring plans and specifications for school buildings.

An Act to amend sections 41, 42, 43 and 44 of the Revised Statutes, as amended, relating to the employment of superintendents in towns comprising school unions.

On motion by Mr. Austin of Phillips, under a suspension of the rules,

the vote was reconsidered whereby this bill was passed to be engrossed.

Mr. Austin then offered House amendment A, to amend by inserting in the second line of the title thereof, after the word "Forty-four" the words "of chapter 15."

The amendment was adopted, and on further motion by Mr. Austin the bill was passed to be engrossed as amended.

#### Orders of the Day.

On motion by Mr. Austin of Phillips, the rules were suspended and that gentleman by unanimous consent introduced out of order resolve in favor of James W. Harvey, document clerk, for preparing weekly printed index, and on further motion by Mr. Austin the resolve was referred to the committee on appropriations and financial affairs.

An motion by Mr. Smith of Auburn, the rules were suspended and that gentleman by unanimous consent introduced out of order bill, An Act to amend section 67 of chapter 206 of the Public Laws of 1909, relating to reenlistment in the National Guard, and on further motion by Mr. Smith the rules were suspended, the bill received its three several readings and was passed to be engrossed.

On motion by Mr. Emerson of Island Falls, the rules were suspended and that gentleman presented out of order the following committee report:

Mr. Emerson from the committee on interior waters, to which was recommended bill, An Act to repeal chapter 315 of the Private and Special Laws of 1903, entitled "An Act to incorporate the Medunkeunk Dam & Improvement Company, reported that the same "ought to pass."

On further motion by Mr. Emerson the rules were suspended and this bill received its three several readings at the present time and was passed to be engrossed.

On motion by Mr. Wheeler of Paris, the rules were suspended and that gentleman presented out of order the following committee report:

Mr. Wheeler from the committee on legal affairs, to which was recommended bill, An Act to incorporate the Livermore Falls Sewer District, as amended by chapter 441 of the Private and Special Laws of 1907, and as amended by chapter 185 of the Private and Special Laws of 1911, reported the same in a new draft and that it "ought to pass."

The report was accepted and the bill ordered printed under the joint rules.

The SPEAKER: Specially assigned for today is the matter of majority and minority reports of the committee on judiciary, to which was referred bill, entitled "An Act relating to the power of the Board of Prison and Jail Inspectors," majority reporting "ought to pass," minority reporting "ought not to pass."

On motion by Mr. Smith of Auburn, the two reports of the committee, pending the acceptance of either, were laid upon the table and specially assigned for consideration on Tuesday of next week.

On motion by Mr. Sanborn of South Portland House Document No. 585, bill, An Act to provide for the reconstruction of Portland Bridge, was taken from the table.

The pending question being the adoption of House amendment A,

On motion by Mr. Sanborn House amendment A was adopted.

Mr. Sanborn then offered House amendment B, to amend section ten of said bill by adding thereto the following: "The cost of maintenance of said Portland bridge shall be borne by the county of Cumberland, the Portland Terminal Company and the Portland

and Cape Elizabeth Railway Company, or their respective successors in interest, in the same proportion in which they shall contribute to the cost of reconstruction and extension thereof."

The question being on the adoption of House amendment B,

The amendment was adopted.

Mr. Austin of Phillips then offered House amendment C, to amend said Act by inserting after section 8 the following section: "Section nine. Upon the completion of said bridge that portion of the county way known as Cape Elizabeth Crossing shall be discontinued and all occupancy of the same by tracks of the Portland Terminal Company shall be lawful, and all such tracks shall be deemed to be legally located."

The question being on the adoption of House amendment C,

The amendment was adopted.

On motion by Mr. Sanborn of South Portland, under a suspension of the rules, the bill then received its three several readings and was passed to be engrossed as amended.

On motion by Mr. Boman of Vinalhaven, the report of the committee on public health to which was referred bill, An Act providing for the inspection of bakeries and confectionaries, reporting "ought not to pass," was taken from the table, and on further motion by Mr. Boman the bill was again tabled and specially assigned for consideration on Wednesday of next week.

On motion by Mr. Washburn of Perry,

Adjourned until Monday afternoon, March 24th, at half-past four o'clock.